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63-5398



Office of the Attorney General
Washington, D. C.

June 28, 1963

Honorable John A. McCone
Director, Central Intelligence
Agency
Washington 25, D. C.

Re: Proposed Revision of NSC 5427

Dear Mr. McCone:

Subsequent to the receipt of your memorandum of June 7, 1963 captioned as above, comments were received from the Department of Defense concerning the proposed revision, a copy of which is attached.

I would appreciate receiving your views concerning the attached Department of Defense proposed revision of NSC 5427.

Sincerely,

Robert F. Kennedy
Attorney General

OSD & DOJ review(s) completed.

Enclosure

Attorney General
EXECUTIVE REGISTRY FILE

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THE SECRETARY OF DEFENSE
Washington

COPY

10 June 1963

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Dear Bob:

This is in reply to your letter of 24 May 1963 requesting Department of Defense views on a draft National Security Action Memorandum which has been developed to replace NSC 5427, subject, "Restricting Diplomatic and Official Representatives of the Soviet Bloc Countries in the United States in Connection with Strategic Intelligence."

My primary comment on the policy guidance set forth in the draft NSAM centers on the retention of the requirement that restrictions on travel of official Soviet bloc representatives in the United States are to be based solely on the factor of reciprocity. In my view, our experience last April with the trip of Hungarian military attaché personnel over a route involving a large number of very sensitive strategic missile sites forcibly points up the need for additional criteria upon which to adjudge requirements for travel restrictions. Accordingly, I suggest that the first numbered paragraph of the proposed NSAM be expanded as follows:

"1. Restrictions shall be placed upon diplomatic and official representatives of Soviet bloc countries in the United States on the basis of ~~strict~~ reciprocity for restrictions placed upon U.S. representatives in each Soviet bloc country, or on the basis of requirements of national defense or internal security; as determined to be feasible by a group composed of representatives of the Departments of State, Defense, Justice and CIA."

I recognize that from a diplomatic viewpoint the principle of strict reciprocity, as it applies to travel restrictions, offers certain distinct advantages. Moreover, if the policy statement under consideration applied only to Soviet diplomats and officials, I would agree that our national security interests would be adequately safeguarded. The stringency of present Soviet security restrictions would, in strict reciprocity, entail the corresponding imposition of adequate safeguards on our part. Should Soviet restrictions be lifted, the increased opportunities for travel available to our representatives would more than balance the opportunities thus available to the Soviets.

When we extend consideration to include bloc countries other than the Soviet Union, however, we encounter a significantly different situation. Satellite representatives can and do operate in the United

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DOD DIR 5200.10

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States as intelligence agents of the Soviet Union. The free travel access granted such representatives thus nullifies much of the security resulting from restrictions on Soviet travel. This is not to suggest that national defense or internal security factors necessarily outweigh the factor of reciprocity. I believe, however, that all of these factors should receive appropriate consideration and that categories of travel restriction or control should be established on a basis of the net contribution to our national interest.

It is true, of course, that virtually any individual from a Soviet bloc country, official or private, military or civilian, could be an espionage agent. I am advised, however, that at present the military attaches of Satellite countries and others assigned to the staffs of military attaches appear to have the prime assignment of obtaining information regarding such vital U.S. defense systems as our growing complex of strategic missile sites. I believe, therefore, that an early task of the group referenced in paragraph 1 should be a re-examination of our policies regarding travel by the Satellite military attaches and their staffs. Regardless of the specific restrictions that might result from such a review, I also believe that there is a need for closer cognizance by the Department of Defense over travel by Satellite military personnel than presently exists. Accordingly, I suggest that a new paragraph be added to the proposed NSAM after paragraph 3, as follows:

"4. The Department of Defense will utilize its present facilities in the Military Departments to receive and approve, in consonance with restrictions formulated by the group discussed in paragraph 1, travel itineraries from Soviet bloc military personnel and other Soviet bloc persons who travel with them in the United States."

Should we find that closer scrutiny and tighter controls of travel by Satellite military personnel will merely result in a shift of the burden of high priority military intelligence collection to other categories of Soviet bloc personnel, such additional restrictions as might be required presumably would be formulated by the group referenced in paragraph 1 of the NSAM, or at a higher level of the government, if necessary.

I am aware that in the proceedings of the Interdepartmental Committee on Internal Security the Department of Defense had previously indicated informal concurrence in a draft restatement of policy on this subject along lines essentially the same as those set forth in NSC 5427. Our most recent review of past practices, however, particularly in light of the April experience with the Hungarians, now compels me to recommend the adoption of broader criteria than strict reciprocity as the basis for restrictions on travel by official Soviet bloc representatives, and the development of improved means of monitoring and

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controlling, as necessary, movements within the United States by military personnel of the Satellite countries as well as those of the Soviet Union.

Sincerely,

signed
Roswell L. Gilpatric
Deputy Secretary of Defense

The Honorable Robert F. Kennedy

The Attorney General

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SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM

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**CENTRAL INTELLIGENCE AGENCY
OFFICIAL ROUTING SLIP**

TO	NAME AND ADDRESS	DATE	INITIALS
1	DDCI	6/7/63	[Signature]
2	DCI	<i>Noted by DCI/EX</i>	
3	<i>in file</i>		
4			
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<input type="checkbox"/> ACTION	<input type="checkbox"/> DIRECT REPLY	<input type="checkbox"/> PREPARE REPLY
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> DISPATCH	<input type="checkbox"/> RECOMMENDATION
<input type="checkbox"/> COMMENT	<input type="checkbox"/> FILE	<input type="checkbox"/> RETURN
<input type="checkbox"/> CONCURRENCE	<input type="checkbox"/> INFORMATION	<input type="checkbox"/> SIGNATURE

Remarks:

For your information. Copy has gone to CI Staff via DD/P to prepare reply.

NOTED BY EX. DIR.

6 July 63

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO:	DATE
Executive Director	6 July

M/Record
26 July:

Checked with DD/P Registry on status. Was advised that on 15 July a proposed statement was sent to Mr. Elder. On 19 July Mr. Elder sent draft of proposed reply to Mr. Helms asking for concurrence. On 23 July Mr. Helms returned it to Mr. Elder saying O. K.

Per who checked with Elder/Knoche, memo (or letter) was signed on 25 July.

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